

REMARKS

Claims 1-69 were pending in this application.

Claims 1-6 and 50-60 have been rejected.

Claims 1, 7-49, and 61-69 have been cancelled (Claims 7-49 and 61-69 were directed at one or more non-elected inventions).

Claims 2, 4-6, 50, 52, and 53 have been amended as shown above.

Claims 70-73 have been added.

Claims 2-6, 50-60, and 70-73 are now pending in this application.

Reconsideration and full allowance of Claims 2-6, 50-60, and 70-73 are respectfully requested.

I. OBJECTION TO THE SPECIFICATION

The Office Action objects to the specification because of an inconsistency between the text of the specification and the drawings. The Applicants have amended the specification to correct the ambiguity noted in the Office Action. The Applicants respectfully request withdrawal of the objection to the specification.

II. OBJECTION TO THE CLAIMS

The Office Action objects to Claim 52 because Claim 52 does not end with a period. The Applicants have amended Claim 52 to correct the noted problem. The Applicants respectfully

request withdrawal of the objection to the claim.

III. REJECTION UNDER 35 U.S.C. § 112

The Office Action rejects Claim 53 under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter regarded as the invention. In particular, the Office Action asserts that the steps “indicating the device” and “indicating one of the at least two modules for accessing” as recited in Claim 53 are “redundant in view of the limitation regarding the at least two modules being affiliate[d] with a device.” (*Office Action, Pages 5-6, Section 16*). The Office Action then states that the “step of ‘indicating the device’ is the same as the step of ‘indicating one of the at least two modules for accessing.’” (*Office Action, Page 6, Section 16*). The Applicants respectfully traverse this rejection.

The standard for definiteness is whether a claim reasonably apprises those of skill in the art of its scope. (*MPEP § 2173; In re Warmerdam, 33 F.3d 1354, 1361, 31 U.S.P.Q.2d 1754, 1759 (Fed. Cir. 1994)*). Whether the claim leaves unclear the manner in which a recited feature may be implemented is irrelevant where the claim clearly covers all forms of implementation. (*MPEP § 2173.02; In re Warmerdam, 33 F.3d 1354, 1361, 31 U.S.P.Q.2d 1754, 1759 (Fed. Cir. 1994)*). Determining whether a claim is indefinite requires an analysis of whether one skilled in the art would understand the bounds of the claim when read in light of the specification. (*MPEP § 2173.02; Credle v. Bond, 25 F.3d 1566, 1576, 30 U.S.P.Q.2d 1911, 1919 (Fed. Cir. 1994)*). The claim is not indefinite if one skilled in the art would have no particular difficulty in determining whether the

recited feature has been implemented. (*MPEP* § 2173.02; *In re Warmerdam*, 33 F.3d 1354, 1361, 31 U.S.P.Q.2d 1754, 1759 (Fed. Cir. 1994)).

First, the recitation of “allowing an embedded controller to access at least two modules affiliated with a device” occurs in the preamble of Claim 53. As a result, this recitation does not constitute a “step” in Claim 53.

Second, the Office Action cannot interpret the step of “indicating the device” to be the same as the step of “indicating one of the at least two modules for accessing.” One step recites that a “device” is indicated, while the other step recites that one of at least two “modules” is indicated. The Office Action improperly attempts to equate indicating a “device” with indicating one of at least two “modules” that are affiliated with the device.

A person skilled in the art would understand the scope of Claim 53. Accordingly, the Applicants respectfully request withdrawal of the § 112 rejection.

IV. REJECTION UNDER 35 U.S.C. § 102

The Office Action rejects Claims 1-6 and 50-60 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,260,098 to Ku (“*Ku*”) or U.S. Patent Publication No. 2002/0129184 to Watanabe (“*Watanabe*”). The Applicants respectfully traverse these rejections.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP* § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567

(*Fed. Cir. 1990*)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP* § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (*Fed. Cir. 1985*)).

Ku recites a “shared peripheral controller” that is capable of receiving and buffering segments of an operation for a “shared peripheral” until all segments are received. (*Abstract*). Each of the operations typically has two segments. (*Abstract*). Segments for multiple operations may be received over multiple busses from multiple processors and be destined for the same shared peripheral, and the controller ensures that segments received over one bus are not affected by segments received over another bus. (*Col. 2, Line 59 – Col. 3, Lines 26*). When segments for multiple operations destined for the same shared peripheral are received over multiple busses, the controller forwards the first operation to be completely received (both segments received), no matter which segment was received first. (*Col. 6, Line 18 – Col. 7, Line 5*).

Ku simply recites that the shared peripheral controller communicates an operation to a shared peripheral after both segments of the operation have been received. *Ku* lacks any mention of allowing one processor seeking access to a “module” to control whether another processor is capable of accessing the “module.” As a result, *Ku* fails to anticipate at least one “access block bit” that is “controlled by one of the at least two processors” and that is used to block access by “another of the at least two processors” to at least one module as recited in Claim 2. Similarly, *Ku* also fails to anticipate allowing “one of the at least two processors” to control at least one “access block bit” that is capable of blocking access by “another of the at least two processors” to at least one module as

recited in Claim 50. In addition, *Ku* fails to anticipate allowing an “embedded controller” to set at least one “access block bit” to block access by “another processor” to at least one module as recited in Claim 53.

For these reasons, *Ku* fails to anticipate the Applicants’ invention as recited in Claims 2, 50, and 53 (and their dependent claims).

Watanabe recites a bus controller that controls access to multiple buses by multiple processors. (*Abstract*). The controller includes an “arbitration logic circuit” that arbitrates access requests from the processors. (*Page 1, Paragraph 0007*). The arbitration logic circuit may arbitrate requests using a static or dynamic prioritization scheme. (*Pages 2-3, Paragraph 0030*).

Watanabe simply recites that a logic circuit uses a “prioritization scheme” to control access to a bus. *Watanabe* lacks any mention of allowing one processor seeking access to a “module” to control whether another processor is capable of accessing the “module.” As a result, *Watanabe* fails to anticipate at least one “access block bit” that is “controlled by one of the at least two processors” and that is used to block access by “another of the at least two processors” to at least one module as recited in Claim 2. *Watanabe* also fails to anticipate allowing “one of the at least two processors” to control at least one “access block bit” that is capable of blocking access by “another of the at least two processors” to at least one module as recited in Claim 50. *Watanabe* further fails to anticipate allowing an “embedded controller” to set at least one “access block bit” to block access by “another processor” to at least one module as recited in Claim 53.

For these reasons, *Watanabe* fails to anticipate the Applicants’ invention as recited in Claims

2, 50, and 53 (and their dependent claims).

Accordingly, the Applicants respectfully request withdrawal of the § 102 rejections and full allowance of Claims 2-6 and 50-60.

V. NEW CLAIMS

The Applicants have added new Claims 70-73. The Applicants respectfully submit that no new matter has been added. The Applicants respectfully request entry and full allowance of Claims 70-73.

VI. CONCLUSION

As a result of the foregoing, the Applicants assert that all claims in this application are in condition for allowance and respectfully request allowance of such claims.

SUMMARY

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any extension of time fees) or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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